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LEGAL LINGUISTICS AS AN ACADEMIC AND PROFESSIONAL DISCIPLINE: IDENTIFYING CLIENTS, CUSTOMERS, STAKEHOLDERS

Legal linguistics is a relatively new discipline, of growing significance in the light of internationalization of legal life and the broader context of globalization, where English is the chosen form of communication. Currently, a few programs are available to prepare practitioners, if indeed it is clear who practitioners actually are, or again what the parameters of their profession may be, or where legal linguistics fits within the future education and training needs of law professionals. (Bowers, *Linguistic Aspects of Legislative Expression*. F. 1989, p. 25).

The importance of legal linguistics stems at least in part from the internationalization of legal life in the broader context of globalization, with English as the law's lingua franca, and the implications of these factors for the education and training of law professionals.

Legal linguistics as an emerging discipline needs to be effectively showcased, for two related reasons. Firstly, marketing to potential applicants, employers, and stakeholders must show legal linguistics as having clear practical professional relevance. Secondly, legal linguistics programs must be appropriately focused to respond to the needs of the discipline and the market. (Chesterman Simon. *The Evolution of Legal Education: Internationalization, Transnationalization, Globalization*. *German Law Journal*. p. 14). At the conceptual level, some attempt has been made to delineate legal linguistics. However, as has been pointed out, the referential field is not well-defined and internationally accepted, although «agreement exists about the core characteristics of the discipline». Moreover, as a term in itself, «legal linguistics» appears not to enjoy full equivalence between different languages. At a practical level, another view of legal linguistics stresses the need for greater recognition of the interplay between legal knowledge and linguistic knowledge, affirming that while legal scientists and practicing lawyers acknowledge the importance of the intertwining of language and law and language, much remains to be done to ensure full realization of the potential benefits of linguistics and linguistic methods. A few eponymous legal linguistics programs exist, while those that do exist do not appear to share the same approaches.

One approach argues for two curricula that «share an interest in educating specialists in the field of legal language» but that «they differ in that they aim at educating students to function as different types of experts», with one curriculum that «aims at generating legal experts who apply their solid knowledge about languages and linguistics in solving legal problems» while the other «aims at generating experts in language and linguistics who can draw upon solid legal

knowledge to solve communicative problems such as the translation of legal texts.» While acknowledging a degree of overlap between needs of lawyers and translators, they stress the importance of the distinction, which they justify on the basis that «the skills necessary for performing these two functions are not identical.» Interestingly, they apply the term «legal linguists» to those who are to become «law specialists with a considerable degree of expertise in law», while translators «are specialists not in law, but in language and need therefore only to be able to interpret and phrase legal texts correctly.» Significantly, «both programs are built on three pillars: training in law, training in linguistics, and training in language proficiency.» They place emphasis «on knowing enough to be able to find the specialized knowledge one needs in order to solve a certain problem rather than on conveying any kind of totality of knowledge of a (sub) field of law» and acknowledge that «from a professional point of view having skills in interpreting legal texts along the same lines as legal experts is an important competence in all kinds of work with legal texts. (Engberg, Jan/Burr. *Designing Curricula on Legal Language for Legal Linguists and for Translators*, Isolde. 2009, p. 48).

An alternative approach was heavily influenced by pragmatic concerns. In particular, the program was commissioned by a stakeholder with lawyers specifically in mind. However, the author, who led the team that set up the program, intuited that insufficient lawyers would apply to achieve the minimum numbers required to run it. For that reason, a program was devised that would also attract translators. As it turned out, the numbers of lawyers who applied would not have justified running the pilot program. Put differently, it was the translator applicants that enabled it to run. Moreover, when a revised program was offered two years after the pilot one, again that were translators who made sufficient numbers to run the program, with only three lawyers applying. However, earlier extensive and intensive research in the context of globalization and English as the global legal lingua franca the knowledge and skills need of translators and lawyers and the corresponding education and training requirements of both groups do appear to overlap significantly in certain areas. (Goddard. *A Professional Master's Programme in Legal Linguistics: A Model for Translators and Lawyers*. 2009/2, p. 86).

Scientists have carried out preliminary researches into stakeholders in legal linguistics education and training. They came to the following conclusion: potential employers were seen as e. g. EU institutions, law firms, universities, law schools, terminological institutes, etc. As to those with an indirect interest, these are seen to include e. g. business intelligence, international banking, stock markets, international trade, ministries, Courts, persons who work with legal texts and others. (Savage, Grant. *Strategies for assessing and managing organizational stakeholders*. 1991, p. 65).

Legal linguistics plays a vital role as part of the response by legal education and training to the globalization and internalization of law. It is a clear «fit» in the education and training requirements for law professionals

in the context of globalization and internationalization with English as the legal lingua franca. While this and earlier research have opened up a certain exploration of stakeholders in legal linguistics, further research is required in this area beyond the focus group of individuals. Moreover, there is a need to communicate with potential students and other stakeholders regarding the learning outcomes of a legal linguistics program. At the same time, learning outcomes should be included in marketing and promotional literature, in order to demonstrate professional relevance to all stakeholders. Moreover, stakeholder analysis is needed, to include course, module, or program evaluations from current students, with a view to re-examining course, module, and program content. Those offering education and training in legal linguistics, as in other areas, should be aware that stakeholders become sources of revenue. Fledgling courses, modules and program in this emerging discipline need support and nourishment from the stakeholder environment in which to test their wings. (Hunter-Taylor. Professional Legal Education: Pedagogical And Strategic Issues. Sharon. 2001, p. 145).

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**ИСПОЛЬЗОВАНИЕ МЕТАФОРЫ В ИСПАНСКОМ
ЮРИДИЧЕСКОМ ДИСКУРСЕ
(на материале текстов приговоров Испанской
национальной Палаты Апелляций)**

Объектом исследования данного доклада является метафора. Российский лингвист Н. Д. Арутюнова определяет метафору, как троп, слово или выражение, употребляемое в переносном значении, в основе которого лежит неназванное сравнение предмета с каким-либо другим на основании их общего признака.

Изучением метафор в разное время занимались такие лингвисты как Дж. Лакофф, М. Джонсон, М. Редди, Р. Гальперин, С. Горе и другие. **Актуальность** исследования обусловлена общенаучным усилением интереса к феномену юридической метафоры. **Целью** доклада является анализ использования метафоры в юридическом дискурсе. **Предметом** данного исследования является употребление метафоры в испанском юридическом дискурсе.

Согласно классификации, предложенной Н. Д. Арутюновой, метафоры разделяются на:

- номинативные, состоящие в замене одного дескриптивного значения другим и служащие источником омонимии;
- образные метафоры, служащие развитию фигуральных значений и синонимических средств языка;